

ATTORNEY DOCKET NO.: 2002147-0020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leeb, *et al.*
Serial No.: 10/617,082
Filing Date: July 10, 2003
Title: HYBRID OPTICAL COMMUNICATION NETWORKS

Examiner: Jason Chan
Art Unit: 2633

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Certificate of Mailing	
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop: Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Date <u>3/6/06</u>	Signature <u>Meg</u>
Name of Person Signing <u>Megan Crowley</u>	

Sir:

TRANSMITTAL LETTER

Enclosed for filing in the above-referenced patent application please find the following documents:

1. Statement Filed Pursuant to the Duty of Disclosure Under 37 CFR §§1.56, 1.97 and 1.98 (4 pages);
2. Form PTO-1449 (1 page); and
3. Return-Receipt Postcard.

Please charge any fees that may be required or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,

SBlasberg
Stacy Blasberg
Registration No. 52,625

Patent Group
Choate, Hall & Stewart
Two International Place
Boston, Massachusetts 02110
Phone: (617) 248-5000
Fax: (617) 248-4000
Dated: March 6, 2006



ATTORNEY DOCKET NO.: 2002147-0020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leeb, *et al.* Examiner: Jason Chan
Serial No.: 10/617,082 Art Unit: 2633
Filing Date: July 10, 2003
Title: HYBRID OPTICAL COMMUNICATION NETWORKS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, Applicant requests consideration of this Information Disclosure Statement.

Type of Statement

The present Information Disclosure Statement is:

- ☐ An *original* Information Disclosure Statement; or
☒ A *supplemental* Information Disclosure Statement.

Certificate of Mailing	
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop: Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Date	Signature
3/6/06	
Megan Crowley	
Name of Person Signing	

The present Information Disclosure Statement is being filed:

- ☒ Pursuant to 37 CFR § 1.97(b); no fee or certification is required:
- ☐ Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- ☒ Before the mailing of a first Office action on the merits; or
- ☐ Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

Content of the Information Disclosure Statement

Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant includes copies of references as indicated below:

- ☒ A copy of each cited reference not indicated with an asterisk is included;
- ☐ Copies of references indicated with an asterisk on the attached form PTO-1449 are not included pursuant to 37 CFR § 1.98(d) because they were previously provided to the United States Patent Office in an Information Disclosure Statement that complies with 37 CFR § 1.98(a)-(c) and was submitted in the following patent application that is relied upon in the present case for an earlier effective filing date under 35 USC § 120:

Serial Number	Filing Date	Status

- ☐ Copies of English translations of one or more non-English references are included.

Applicant hereby makes the following additional information of record in the above-identified application:

Applicant certifies that the Information Disclosure Statement *either*:

- ☐ Does not contain non-English language citations;
- ☐ Includes one or more translations of a non-English citation; or
- ☐ Does contain non-English language citations, of which the following is a concise explanation:

Remarks

The submission of this Information Disclosure Statement should not be construed as a representation that a search has been made.

The submission of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) .

The submission of this Information Disclosure Statement shall not be construed as a representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 USC § 102.

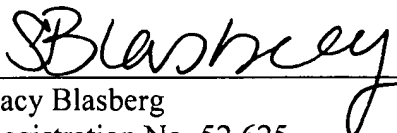
It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application; and
3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

Respectfully submitted,

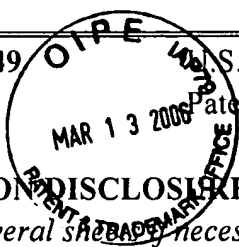
Dated: March 6, 2006



Stacy Blasberg
Registration No. 52,625

CHOATE, HALL & STEWART
Two International Place
Boston, Massachusetts 02110
(617) 248-5000
(617) 248-4000

Form PTO-1449
(REV. 8-83)



U.S. Department of Commerce
Patent and Trademark Office

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Atty. Docket:
2002147-0020

In re Application No.
10/617,082

Applicant: Leeb, *et al.*

Filing Date:
July 10, 2003

Group:
2633

U.S. PATENT DOCUMENTS

Examiner's Initials	U.S. Patent No.	Applicant	Issue Date	Class	Subclass
	7,006,768 B1	Franklin	Feb. 28, 2006		

U.S. PATENT APPLICATIONS

Examiner's Initials:	Serial Number:	Applicant:	Filing Date:	Group:	Art Unit:

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Document No.	Country	Date	Translation	
				Yes	No

OTHER DOCUMENTS

Examiner's Initials	Citation (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.